AGENDA BOARD OF SELECTMEN MONDAY, MAY 16, 2016

6:30 p.m. - Convene Meeting in Open Session - Waquoit Meeting Room - Mashpee Town Hall

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MINUTES

Approval of the following: Monday, April 11, 2016 Regular Session and Monday, May 2, 2016 Regular Session

APPOINTMENTS & HEARINGS

- 6:30 Public Comment
- 6:40 AmeriCorps presentation/update, Amber Rosa and Britta Dornfield
- 6:50 Joint Base Cape Cod (JBCC) presentation/update, Base Commanders
- 7:05 Catherine Laurent, DPW Director
 - Request for approval of Annual Bid contracts
 - Request for approval of bid contract for Ockway Bay Dock/Float Replacement Project
 - Review and discussion of estimated electricity/maintenance costs for Town-owned streetlights on private roads
- 7:10 Mary Bradbury, Recreation Director
 - Review and adoption of beach rules as revised
 - Discussion of proposed seasonal Farmer's Market/Artisan Event at Mashpee Community Park

COMMUNICATIONS & CORRESPONDENCE

OLD BUSINESS

1) Approval of Special Events Application for Mashpee Community Park, June 18, 2016 – *Kayla Gomes (Wedding)*

NEW BUSINESS

- 1) Approval of request for two (2) one-day liquor licenses, June 25, 2016 and August 20, 2016 *Mashpee Wampanoag Rod & Gun Club*
- 2) Approval of request for one-day liquor license, May 27, 2016 *Kelly Griffin, Kate's Table Catering*
- 3) Approval of request to display sponsor signs at the Mashpee Dog Park
- 4) Approval and execution of Inter-Municipal Agreement between the Town of Mashpee and Mashpee Water District

- 5) Approval and execution of Beach Concessions Agreement between the Town of Mashpee and Winterbottom Ice Cream, LLC, dba Perry's Last Stand (year 2 of 3-year contract)
- 6) Approval and execution of Consent Agreement between Robert Reisner/Patricia J. Erickson and the Town of Mashpee
- 7) Recommendation for Board of Selectmen representative to the JBCC Community Advisory Council *Thomas F. O'Hara*
- 8) Approval of appointment to the Board of Health *Brian Baumgaertel*
- 9) Approval of appointment to the Council on Aging David Egel

ADDITIONAL TOPICS

(This space is reserved for topics that the Chairman did not reasonably anticipate would be discussed)

LIAISON REPORTS

EXECUTIVE SESSION

Present:

Selectman Cahalane, Selectman Sherman, Selectman Gottlieb,

Selectman O'Hara, Selectman Cotton Town Manager Rodney C. Collins

Meeting Called to Order by Chairman Cahalane at 6:30 p.m.

Mashpee Town Hall, Waquoit Meeting Room

MINUTES

Monday, April 11, 2016 Regular Session:

Motion made by Selectman O'Hara to approve the Regular Session minutes of Monday, April 11, 2016 as presented.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cahalane, yes Selectman O'Hara, yes Selectman Sherman, yes Selectman Cotton, yes Selectman Gottlieb, yes

Opposed, none

Monday, May 2, 2016 Regular Session:

Motion made by Selectman O'Hara to approve the Regular Session minutes of Monday, May 2, 2016 as presented.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cahalane, yes Selectman O'Hara, yes Selectman Sherman, yes Selectman Cotton, yes Selectman Gottlieb, yes

Opposed, none

APPOINTMENTS & HEARINGS

Public Comment: None at this time.

AmeriCorps presentation/update, Amber Rosa and Britta Dornfield:

Representatives from Barnstable County AmeriCorps Cape Cod were in attendance to strengthen the partnership with the Town of Mashpee by reviewing the innovative and accomplished programs this past year. In September 2015, AmeriCorps Cape Cod began its 17th year of service.

The AmeriCorps program is a residential program designed to provide quality year round community service to protect and sustain the natural resources of Cape Cod. Service projects in Mashpee include Little River quahog maintenance, trail work in the Santuit Pond Preservation area, assisting Trout Unlimited to restore sections of the bank along the edge of the Quashnet River, and working with the Shellfish Constable to construct oyster cages as well as clearing debris at the herring run.

Amber Rosa and Britta Dornfield, AmeriCorps members distributed copies of the community report to the Board of Selectmen for additional review. (Enclosed in official Town Clerk's copy of minutes)

The Board of Selectmen expressed appreciation to AmeriCorps for their invaluable service to the Town of Mashpee.

Joint Base Cape Cod (JBCC) Presentation/Update, Base Commanders:

Commanders of Joint Base Cape Cod (JBCC) updated the Board of Selectmen on the essential training and support facility deemed the largest training site in New England. In attendance were Base Commanders from the Massachusetts National Guard, Army National Guard, Air National Guard, Air Force and Coast Guard.

Highlights of operations at the 22 acre site were reviewed. In support of public safety there have been improvements at the training area gate, and increased signage for public awareness at training and impact areas. There have been improvements to the pistol range and to increase sustainability a photovoltaic system has been installed.

In calendar year 2015 there has been improvement to conservation lands to protect rare species. Prescribed burns coordinated with state and federal agencies and local fire departments have reduced wildfire risk and improved training. To allow for more routine access, the Falmouth gate is proposed to have 24/7 access in December. Highlights of the presentation are detailed in the power point presentation distributed by the JBCC Commanders. (Enclosed in official Town Clerk's copy of minutes)

Catherine Laurent, DPW Director:

Catherine Laurent, Director of Public Works was in attendance to reviewing the following matters with the Board of Selectmen;

Request for Approval of Annual Bid Contracts:

Correspondence was received from the Director of Public Works dated May 10, 2016 relative to contracts for annual bids. The new bids are the first year of a two year bid under the categories;

Chip Seal

Cracksealing

Elevator Inspections & Service

Fire Suppression Sprinkler Inspection & Services

Generator PM & Service

Guardrail

HVAC Service & Repair

Line Painting

Plumbing Services

All States Asphalt, Inc.

Sealcoating, Inc. and Superior Sealcoat, Inc.

BBE Corporation

Canco Fire Sprinkler Services

FM Generator

Total Highway Services, Inc.

Healthy Air Solutions, Inc.

Markings, Inc.

John J. Maurer, Inc.

Motion made by Selectman Gottlieb to accept the recommendation of the DPW Director and Award Contracts for Annual Bids as recommended by the DPW Director and outlined in the memorandum of May 10, 2016.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cahalane, yes Selectman O'Hara, yes Selectman Sherman, yes Selectman Cotton, yes Selectman Gottlieb, yes

es Opposed, none

Additional correspondence outlined in a memorandum from the DPW Director dated May 11, 2016 recommended the following bid extensions for FY17. The bids are the second year of a two or three year bid;

Alarm Monitoring/Inspection

Catch Basin Cleaning

Cold Planing

Purchase of Drainage Structures;

Castings

Concrete structures

Equipment Rental

Pulverizing

Street Sweeping

Cape Cod Alarm

Leo Vigeant Co.

Rafferty Fine Grading, Inc.

Cape Cod Winwater Works

Acme Precast

Lawrence Lynch Corp.

Murray Paving & Reclamation

American Sweeping

Operation/Maintenance of MHS WWTF & Pump Stations Whitewater, Inc.

Request for Approval of Annual Bid Contracts: (continued)

Motion made by Selectman Gottlieb to approve the Extension of Contracts for Annual Bids as dated May 11, 2016.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cahalane, yes Selectman O'Hara, yes Selectman Sherman, yes Selectman Cotton, yes Selectman Gottlieb, yes

Opposed, none

Request for approval of bid contract for Ockway Bay Dock/Float Replacement Project:

Three bids were received in response to the RFB issued for the replacement of the dock/floats at the Ockway Bay Boat Ramp. Ms. Laurent in her memorandum of May 12, 2016 recommended that a contract be awarded to Beacon Marine Construction LLC of Bowdoin Road in Mashpee in the amount of \$51,985.

Beacon Marine was the lowest and qualified bidder for the project with experience in residential and commercial pier construction. The firm has committed to the Town's requirement to complete the project within 30 days of the Notice to Proceed.

Motion made by Selectman Gottlieb to award a Contract for the Replacement of the Dock/Floats at the Ockway Boat Ramp to Beacon Marine of Mashpee in the amount of \$51,985. Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cahalane, yes Selectman O'Hara, yes Selectman Sherman, yes Selectman Cotton, yes Selectman Gottlieb, yes Opposed, none

Ms. Laurent indicated the Ockway Bay Boat Ramp is in dire need of replacement. Dinghy racks are planned to be installed on site, and mooring holders will soon receive a letter prohibiting the storage of dinghies in the marsh areas. With the completion of this project the Town expects to move forward with the Edward A. Baker Boat Ramp project at Pirates Cove after Labor Day.

With regards to the Great River Boat Ramp Improvement project the DPW Director indicated that a new Chapter 91 license is required for the double ramp project. With permitting the project would commence this fall. Performance standards require no disturbance to the salt marsh areas. Construction details will be revealed soon and it is hopeful there would be no mitigation requirements.

Review and Discussion of Estimated Electricity/Maintenance Costs for Town-owned Streetlights on Private Roads:

At their last meeting the Board of Selectmen reviewed the recommendation of the Streetlight Committee for residents or associations on private roads to pay for the cost on street lighting. Lights deemed necessary by the Chief of Police would be exempt for safety or other reasons.

Cost estimates for Town-owned lights on private roads were reviewed as was the proposed billing which would include electricity and maintenance. On private roads there are 109 lights. At a cost of \$30 per light the total cost is \$3,270.

With the conversion of the street lights from high pressure sodium to LED the cost has been reduced considerably. In recent years, the costs totaled approximately \$70 per light.

After a brief discussion, it was agreed this is a nominal amount of money, and public safety is the number one priority of the Town of Mashpee.

Motion made by Selectman Gottlieb to assume payment for the 109 Town-owned Streetlights on Private Roads as listed by the Department of Public Works.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cahalane, yes
Selectman O'Hara, yes
Selectman Cotton, yes
Selectman Cotton, yes
Opposed, none

Mary Bradbury, Recreation Director:

Mary Bradbury, Recreation Director invited members of the Board of Selectmen and community to attend an open house planned on May 25th at the new location of the Recreation Department at 530 Main Street adjacent to the Heritage Park Recreational facility.

Ms. Bradbury also announced the events scheduled to be held at the Community Park and Town beaches this summer. It was noted that summer hires have been secured and the beaches will be fully staffed through Labor Day. The upcoming Triathlon at John's Pond will be held June 18 and 19, 2016. The closure shall be duly advertised.

Ms. Bradbury also made note of the Memorial Day service scheduled to be held on Monday, May 30, 2016 at the Veteran's Garden starting at 10:00 a.m.

Review and Adoption of Beach Rules as Revised:

The Board of Selectmen reviewed the Rules and Regulations proposed for the use of Town Beaches. With the Selectmen's approval signage would be placed at all Town beaches. The Lifeguards and Gate Attendants on duty shall have the authority and responsibility to enforce the regulations.

With regards to the regulation imposing no umbrellas or tents, it was agreed that shade is necessary for small children and others requiring limited sun exposure. Weather permitting, common sense would be evoked if a tent or umbrella would become a safety hazard.

Motion made by Selectman Gottlieb to approve the Rules and Regulations for the Use of Town Beaches and signage with the amendment to umbrellas and tents for use weather permitting. Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cahalane, yes Selectman O'Hara, yes Selectman Sherman, yes Selectman Cotton, yes Selectman Gottlieb, yes Opposed, none

Discussion of Proposed Seasonal Farmer's Market/Artisan Event at Mashpee Community Park:

Beginning June 15th through September 14th 2016 the Mashpee Farm Fare and Artisan Market will be held on Wednesdays rain or shine at the Mashpee Community Park. The market will be open at 9:30 a.m. for set-up and operate from 11:00 a.m. to 4:00 p.m. The season fee is \$20 per week, a total of \$280 for 14 weeks.

Motion made by Selectman Gottlieb to approve the Seasonal Farmer's Market/Artisan Market at the Mashpee Community Park as referenced.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cahalane, yes Selectman O'Hara, yes Selectman Sherman, yes Selectman Cotton, yes Selectman Gottlieb, yes Opposed, none

OLD BUSINESS

Approval of Special Events Application for Mashpee Community Park, June 18, 2016 – Kayla Gomes (Wedding):

A Special Events Application was received from Kayla Gomes of Hyannis to use the Community Park and gazebo on Saturday, June 18, 2016 at 4:00 p.m. for a wedding ceremony. Ms. Gomes was in attendance to review the license application with members of the Board. There is no food or entertainment requested for this event.

Motion made by Selectman Cotton to approve the Special Events Application for use of the Mashpee Community Park on June 18, 2016 as referenced.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cahalane, yes Selectman O'Hara, yes Selectman Sherman, yes Selectman Cotton, yes Selectman Gottlieb, yes Opposed, none

NEW BUSINESS

<u>Approval of Request for Two (2) One-Day Liquor Licenses, June 25, 2016 and August 20, 2016 – Mashpee Wampanoag Tribe:</u>

Courtenay Mills was present on behalf of the Mashpee Wampanoag Rod & Gun Club to request the use of their 2016 Liquor License on June 25, 2016 and August 20, 2016 for their annual fish fry and clam bake. Mr. Mills indicated the public is invited to both events.

Motion made by Selectman Gottlieb to approve the request of the Mashpee Wampanoag Rod & Gun Club for a One Day Liquor License on June 25, 2016 and August 20, 2016.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cahalane, yes Selectman O'Hara, yes Selectman Sherman, yes Selectman Cotton, yes Selectman Gottlieb, yes Opposed, none

<u>Approval of Request for One-Day Liquor License, May 27, 2016 – Kelly Griffin, Kate's Table Catering:</u>

An application was presented to the Board dated May 10, 2016 from Kate's Table, Inc. for a temporary one-day beer and wine license for a private, invitation only event for the grand opening of the Tesla Cape Cod located at Mashpee Commons. No beverages of any type would be sold at this event.

Since the event is private by invitation only with no sales a license is not required.

Approval of Request to Display Sponsor Signs at the Mashpee Dog Park:

Tom Fox was in attendance representing the Mashpee Dog Park to request the Selectmen support the display of Sponsor Signage at the park. Specifics regarding the display sponsor signs were outlined in a memorandum dated April 8, 2016.

Motion made by Selectman Gottlieb to approve the request for Sponsor Signs at the Mashpee Dog Park.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cahalane, yes Selectman O'Hara, yes Selectman Sherman, yes Selectman Cotton, yes Selectman Gottlieb, yes Opposed, none

Approval and Execution of Inter-Municipal Agreement between the Town of Mashpee and Mashpee Water District:

The Board of Selectmen reviewed the Inter-Municipal Agreement between the Town of Mashpee and the Mashpee Water District for a three year period to commence on July 1, 2016 through June 30, 2019. Town Manager Rodney C. Collins recommended approval.

Motion made by Selectman Gottlieb to approve and execute the Inter-Municipal Agreement between the Town of Mashpee and Mashpee Water District for a three-year period commencing on July 1, 2016.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cahalane, yes Selectman O'Hara, yes Selectman Sherman, yes Selectman Cotton, yes Selectman Gottlieb, yes Opposed, none

<u>Approval and Execution of Beach Concessions Agreement between the Town of Mashpee and Winterbottom Ice Cream, LLC, dba Perry's Last Stand (year 2 of 3-year contract):</u>

The Board of Selectmen reviewed the agreement between the Town and Winterbottom Ice Cream, LLC d/b/a Perry's Last Stand, James and Martha Winterbottom to provide food and beverage concessions at South Cape (Town) Beach, Attaquin Park, John's Pond Park, and Heritage Park from the second weekend in June through Labor Day weekend 2016. The amount paid to the Town in 2016 is \$4,100.

Motion made by Selectman O'Hara to approve and execute the 2016 Beach Concessions Agreement between the Town of Mashpee and Winterbottom Ice Cream, LLC d/b/a Perry's Last Stand; year two of a three year contract.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cahalane, yes Selectman O'Hara, yes Selectman Sherman, yes Selectman Cotton, yes Selectman Gottlieb, yes Opposed, none

Approval and Execution of Consent Agreement between Robert Reisner/Patricia J. Erickson and the Town of Mashpee:

Rob Reisner 40 North Way, Mashpee met with the Board of Selectmen to request approval to improve the access to his property over the Town of Mashpee property by paving the right-of-way. All expenses and improvements shall be paid for by Mr. Reisner and Patricia Erickson, owners of Lot 106 as shown on Land Court Plan 32194-C, known as 40 North Way, Mashpee.

A Consent Agreement was prepared by Town Counsel for the Selectmen's consideration. In accordance with the Agreement, the Town of Mashpee shall not be responsible for maintenance costs associated with the paving of the right-of-way.

Mr. Reisner indicated he purchased his home at the end of last year and he is unable access his driveway. The easement for a driveway goes through a lot the Town took possession of for non-payment of taxes. Mr. Reisner stated that he intends to blend his driveway from the cul de sac to this garage into what is existing.

Discussion followed with respect to setting precedent for other easements on properties the Town owns. It was agreed this issue would be deferred to the next meeting to consult the Town Planner regarding this matter as it relates to tax taking properties and implications thereof.

Mr. Reisner stated that he is disappointed with the Selectmen's decision. He has been attempting to obtain an agreement for the past three months, and the property is planned to be improved at his expense. It was noted the neighbor has given consent to this proposal.

Approval and Execution of Consent Agreement between Robert Reisner/Patricia J. Erickson and the Town of Mashpee: (continued)

Motion made by Selectman Cotton to table this discussion to the June 6, 2016 meeting. Town Counsel will be consulted with respect to this regard and the Town Planner will be requested to be in attendance.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cahalane, yes Selectman O'Hara, yes Selectman Sherman, yes Selectman Cotton, yes Selectman Gottlieb, yes Opposed, none

<u>Recommendation for Board of Selectmen Representative to the JBCC Community Advisory Council – Thomas F. O'Hara:</u>

In accordance with Chapter 47, §6 of the Acts of 2002, the Board of Selectmen took the following action;

Motion made by Selectman Gottlieb to remit correspondence to Governor Baker nominating Thomas F. O'Hara as Mashpee's representative to the Joint Base Cape Cod (JBCC) Community Advisory Council (CAC).

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cahalane, yes Selectman O'Hara, yes Selectman Sherman, yes Selectman Cotton, yes Selectman Gottlieb, yes Opposed, none

Approval of Appointment to the Board of Health – Brian Baumgaertel:

A letter of interest to serve on the Board of Health was received from Brian Baumgaertel dated March 6, 2016. Additional communication was received from Kalliope Egloff; Chair of the Board of Health dated April 7, 2016 recommending Mr. Baumgaertel's appointment. At their Mary 31, 2016 meeting, the Board of Health reviewed the two applicants for the vacant position at their regularly scheduled public hearing. The applicants were Brian Baumgaertel and L. Glenn Santos. Both applicants were deemed uniquely qualified.

Motion made by Selectman Gottlieb to appoint Brian Baumgaertel to the Board of Health. Motion seconded by Selectman Sherman.

VOTE: 4-1. Motion carries.

Roll Call Vote:

Selectman Cahalane, no Selectman O'Hara, yes Selectman Sherman, yes Selectman Cotton, yes Selectman Gottlieb, yes Opposed, (1)

Approval of Appointment to the Council on Aging – David Egel:

Correspondence was received from David Egel expressing interest to serve on the Council on Aging. At their meeting of April 13, 2016 the Council on Aging voted unanimously to recommend the appointment of David Egel to fill the current vacancy.

Motion made by Selectman Gottlieb to appoint David Egel to the Council on Aging. Motion seconded by Selectman Sherman. VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cahalane, yes Selectman Sherman, yes Selectman Gottlieb, yes Selectman O'Hara, yes Selectman Cotton, yes Opposed, none

LIAISON REPORTS

<u>JBCC</u>: At the last Joint Base Cape Cod Community Advisory Council meeting there was noted progress in range operations including pistol range improvements. The initiatives will support the protection of the grounds and aquifer from potential contaminants.

<u>Waterways Commission:</u> The dredging of the Popponesset Bay approach channel is now complete and ready for the upcoming season.

<u>Community Garden:</u> It was reported the Assistant Conservation Agent Katelyn Cadoret is re-invigorating the community garden site. A total of 16 public garden plots are available for a cost of \$25 per year. The Community Garden was constructed several years ago with Community Preservation funding. It is a great spot to plant a vegetable garden. Interested residents are encouraged to contact the Conservation Office.

<u>John's Pond:</u> Christian Cotton has taken on an initiative to protect native species for his Eagle Scout project by eradicating the invasive koi fish located in John's Pond.

Adjournment:

Motion made by Selectman O'Hara to adjourn at 7:50 p.m. Motion seconded by Selectman Sherman. <u>VOTE</u>: Unanimous. 5-0.

Roll Call Vote:

Selectman Cahalane, yes Selectman O'Hara, yes Selectman Sherman, yes Selectman Cotton, yes Selectman Gottlieb, yes Opposed, none

Respectfully submitted,

Kathleen M. Soares Secretary to the Board of Selectmen

Attachments:

Barnstable County's AmeriCorps Cape Cod 2014-2015 Report Joint Base Cape Cod Commanders Update Briefing